

SENATE BILL 313

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0lr0593

By: **Senators King, Miller, Harrington, Conway, Currie, Exum, Forehand, Frosh, Garagiola, Gladden, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, and Stone**

Introduced and read first time: January 27, 2010

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Annual Preventive Care**

3 FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and
4 health maintenance organizations that provide covered benefits for annual
5 preventive care from denying coverage solely because a certain number of days
6 has not elapsed since the previous annual preventive care occurred; requiring
7 the insurers, nonprofit health service plans, and health maintenance
8 organizations to provide coverage for the annual preventive care if certain
9 conditions are met; prohibiting certain provisions from being construed to
10 require coverage for a certain service; making certain requirements applicable
11 to health maintenance organizations; defining a certain term; and generally
12 relating to health insurance coverage for annual preventive care.

13 BY adding to

14 Article – Insurance

15 Section 15–134

16 Annotated Code of Maryland

17 (2006 Replacement Volume and 2009 Supplement)

18 BY adding to

19 Article – Health – General

20 Section 19–706(cccc)

21 Annotated Code of Maryland

22 (2009 Replacement Volume)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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Article – Insurance2 **15–134.**

3 **(A) (1) IN THIS SECTION, “ANNUAL PREVENTIVE CARE” MEANS AN**
4 **ANNUAL PREVENTIVE VISIT, SCREENING, OR EXAMINATION THAT IS A COVERED**
5 **BENEFIT UNDER A POLICY OR CONTRACT ISSUED OR DELIVERED BY AN ENTITY**
6 **SUBJECT TO THIS SECTION.**

7 **(2) “ANNUAL PREVENTIVE CARE” INCLUDES:**

8 **(I) AN ANNUAL CHILD WELLNESS VISIT;**

9 **(II) A ROUTINE GYNECOLOGICAL VISIT; AND**

10 **(III) A SCREENING TEST OR EXAMINATION FOR COLORECTAL**
11 **CANCER, CHLAMYDIA, HUMAN PAPILLOMAVIRUS, PROSTATE CANCER, OR**
12 **BREAST CANCER.**

13 **(B) THIS SECTION APPLIES TO:**

14 **(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**
15 **PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR**
16 **GROUPS ON AN EXPENSE–INCURRED BASIS UNDER HEALTH INSURANCE**
17 **POLICIES OR CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND**

18 **(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE**
19 **HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS**
20 **UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.**

21 **(C) AN ENTITY SUBJECT TO THIS SECTION THAT PROVIDES COVERED**
22 **BENEFITS FOR ANNUAL PREVENTIVE CARE:**

23 **(1) MAY NOT DENY COVERAGE FOR THE ANNUAL PREVENTIVE**
24 **CARE SOLELY BECAUSE 365 DAYS HAVE NOT YET ELAPSED SINCE THE PREVIOUS**
25 **ANNUAL PREVENTIVE CARE OCCURRED; AND**

26 **(2) SHALL PROVIDE COVERAGE FOR THE ANNUAL PREVENTIVE**
27 **CARE IF:**

28 **(I) THE ANNUAL PREVENTIVE CARE IS PROVIDED NO MORE**
29 **THAN 45 DAYS BEFORE THE ANNIVERSARY DATE FOR THE ANNUAL PREVENTIVE**
30 **CARE; AND**

1 **(II) ANY OTHER REQUIREMENTS FOR COVERAGE OF THE**
2 **ANNUAL PREVENTIVE CARE ARE MET.**

3 **(D) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE COVERAGE**
4 **FOR A SERVICE NOT OTHERWISE REQUIRED BY LAW.**

5 **Article – Health – General**

6 19–706.

7 **(CCCC) THE REQUIREMENTS OF § 15–134 OF THE INSURANCE**
8 **ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2010.